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Attorney Reference Number: 6947-67206

N THE UNITED STATES PATENT AND TRADEMARK OFFICE In re application of: Brown et al.

**Application No. 09/117,218** 

Filed: January 11, 1999 Confirmation No. 3436

TREATMENT OF NON-NEURONAL

**CANCER USING HSV-1 VARIANTS** 

**Examiner:** Quang Nguyen, Ph.D.

Art Unit: 1636

Attorney Reference No. 6947-67206

MAIL STOP RCE **COMMISSIONER FOR PATENTS** P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450** 

#### **CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney for Applicant(s)

Tanya M. Harding, Ph.D.

Date Mailed December 10.

## REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL LETTER

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the application referenced above.

Enclosed are the following for submission required under 37 C.F.R. § 1.114:

1 <del>2/16/2003 \</del>	POLITE1 00000078 0911	17218					
1 FC:1801	770.00 QP		FILING FEE				
	For	No. after amendment	No. paid for previously		Present Extra	Rate	Fee
	Fee under 37 CFR 1.17(e)						\$770.00
	Total Claims	5	- 45*	=	0	\$18.00	\$ 0.00
	Indep. Claims	1	- 4**	=	0	\$86.00	\$ 0.00
	Mult. Dep. Claims Fee (if not previously paid)					\$290.00	
	One-month Extension of Time					\$110.00	
	Two-month Extension of Time				_	\$420.00	
	Three-month Ex	tension of Time				\$950.00	\$950.00
	TOTAL FILING	FEE					\$1720.00

<sup>\*</sup> greater of twenty or number for which fee has been paid. \*\* greater of three or number for which fee has been paid.

Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required please consider this a petition therefor.

Attorney Reference Number: 6947-67206

A check in the amount of \$1,720.00 is attached.

Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.

Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

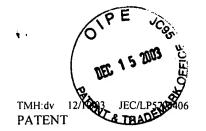
By

Tanya M. Harding, Ph.D. Registration No. 42,630

One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, Oregon 97204 Telephone: (503) 226-7391

Facsimile: (503) 228-9446

cc: Docketing



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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### **CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney for Applicant(s)

Tanya M. Harding, Ph.D

Date Mailed December 10, 200

# AMENDMENT, AND RESPONSE FILED WITH REQUEST FOR CONTINUED EXAMINATION (RCE)

This is an Amendment and Response filed with a Request for Continued Examination, in response to the Final Office Action dated June 10, 2003 (Paper No. 24). A three-month period for reply was set, making a response due on or before September 10, 2003. A petition for a three-month extension of time for response accompanies this amendment, along with the appropriate fee, now making the response due on or before **December 10, 2003**. If the Commissioner determines that additional fees are necessary to file this response, deposit account authority is provided on the accompanying transmittal sheet. Please amend the referenced application as follows:

Amendments to the Claims are reflected in the listing of claims, which is on page 2 of this response.

**Remarks** begin on page 3 of this response.

A Conclusion is on page 8 of this response.

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